

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

UNITED STATES OF AMERICA,  Plaintiff,  v.  KIMBERLEE PITAWANAKWAT,  Defendant.	5:20-CR-50122  <b>MOTION TO PROVIDE DISCOVERY TO DEFENDANT</b>
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COMES NOW Defendant, Kimberlee Pitawanakwat, by and through her undersigned counsel, and moves Court for its Order granting permission to be provided discovery in her case, and states as follows:

Undersigned counsel is appointed pursuant to the Criminal Justice Act. Pursuant to local Standing Order 19-03, Counsel may not provide discovery materials to a defendant. However, in this case, Defendant has not been ordered to pre-trial detention and is presently living in Oregon. Upon information and belief, above-named Defendant is not financially able to make numerous trips to South Dakota. The Court's scheduling order in this case has set the earliest deadline as February 16, 2021; however, written discovery has still not been reviewed by Defendant due to her distance from South Dakota. Therefore, Defendant requests that she be provided with her discovery to review.

WHEREFORE, Defendant prays this Court for its order authorizing discovery to be provided to Defendant for review and subsequently returned to Counsel upon completion of the review.

Dated this 19<sup>th</sup> day of January 2021.

**COSTELLO, PORTER, HILL, HEISTERKAMP,  
BUSHNELL & CARPENTER, LLP**

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